



AF

3624
IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. **020431.0750**

In re Application of:

NOEL TENORIO

Serial No. **09/750,617**

Filed: **20 DECEMBER 2000**

For: **SYSTEM AND METHOD FOR
NEGOTIATING ACCORDING TO
IMPROVED MATCHING CRITERIA**

§
§
§
§
§
§
§
§
§
§
§

Examiner: **LALITA M. HAMILTON**

Art Unit: **3624**

Confirmation No.: **6553**

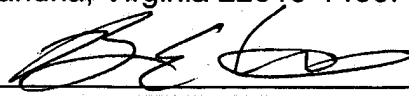
TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Please file the following enclosed documents in the subject application:

1. This Transmittal with Certificate of Mailing;
2. Interview Summary; and
3. Our return postcard which we would appreciate you date stamping and returning to us.


Certificate of Mailing Under 37 C.F.R. § 1.8(a)	
Date of Deposit:	<u>2 March 2006</u>
I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail with sufficient postage under 37 C.F.R. §1.8(a) on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.	
By:	

No fees are believed to be incurred by the filing of this Amendment. However, if a fee should be required, the Director is hereby authorized to charge any such fee to Deposit Account No. **500777**. If an extension of time is required and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed. Any fee required for such Petition for Extension of Time should be charged to Deposit Account No. **500777**.

Please link this application to Customer No. 53184 so that its status may be checked via the PAIR System.

Respectfully submitted,

2 MAR 2006
Date


James E. Walton, Registration No. 47,245
Brian E. Harris, Registration No. 48,383
Daren C. Davis, Registration No. 38,425
Michael Alford, Registration No. 48,707
Law Offices of James E. Walton, P.L.L.C.
1169 N. Burleson Blvd., Suite 107-328
Burleson, Texas 76028
(817) 447-9955 (voice)
(817) 447-9954 (facsimile)
jim@waltonpllc.com (e-mail)

CUSTOMER NO. 53184
ATTORNEYS AND AGENTS FOR APPLICANT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. **020431.0750**

In re Application of: **NOEL TENORIO**

Serial No. **09/750,617**

Filed: **20 DECEMBER 2000**

For: **SYSTEM AND METHOD FOR
NEGOTIATING ACCORDING TO
IMPROVED MATCHING CRITERIA**

§
§ Examiner: **LALITA M. HAMILTON**
§
§
§
§ Art Unit: **3624**
§
§
§ Confirmation No.: **6553**
§


INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This is in response to the Interview Summary mailed on 14 February 2006.

On 3 February 2006, the undersigned (representative for Applicant) telephoned Examiner Lalita Hamilton seeking clarification of the Notice of Panel Decision mailed 1 February 2006 ("Notice"). Examiner Hamilton stated that the Notice was prepared and mailed out by an office manager named Sonya Williams. Examiner Hamilton also stated that she was unaware of the Notice, and that Ms. Williams would be the correct person to contact with any questions regarding the Notice.

Certificate of Mailing Under 37 C.F.R. § 1.8(a)
Date of Deposit: <u>2 March 2006</u>
I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail with sufficient postage under 37 C.F.R. §1.8(a) on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.
By: <u></u>

The undersigned then telephoned Ms. Williams and left a message. The undersigned also attempted to contact Examiner Vincent Millin, supervisor to Examiner Hamilton, and left a message.

The undersigned spoke with Ms. Williams on 7 February 2006, requesting clarification of the Notice. Ms. Williams stated that the Request for a Pre-Appeal Brief Conference ("Request") filed on 6 December 2006 was improper because the Request exceeds five pages. The undersigned pointed out that, according to the governing OG Notice (1296 OG 67), the page limitation only applies to the arguments, not to the entire Request. Ms. Williams admitted that she was new to the process and that the undersigned should contact the SPE (Examiner Millin) to have the Notice overruled and to have a pre-appeal brief conference scheduled.

The undersigned then tried again to contact Examiner Millin on 7 February 2006 and left another message.

On 8 February 2006, since the undersigned had left two messages for Examiner Millin on 3 February 2006 and on 7 February 2006, and since Examiner Millin had still not returned either of these two telephone calls, the undersigned telephoned the Primary, Examiner Hani Kazimi. The undersigned explained the situation to Examiner Kazimi. The undersigned summarized the position expressed in the Request for Reconsideration of Pre-Appeal Brief Request filed on 3 February 2006 ("Reconsideration Request"). As stated in the Reconsideration Request, the Request is not limited to five pages. According to 1296 OG 67, the five page limitation only applies to the arguments contained in the Request. Examiner Kazimi agreed to schedule a pre-appeal brief conference. Examiner Kazimi also agreed to have Examiner Hamilton issue an interview summary confirming that there will be a pre-appeal brief conference.

On 9 February 2006, Examiner Millin telephoned the undersigned. The undersigned explained the situation to Examiner Millin. The undersigned also informed Examiner Millin that Examiner Kazimi had already agreed to schedule a pre-appeal brief conference. Examiner Millin stated that he would make sure that the pre-appeal brief conference is scheduled.

Also on 9 February 2006, Examiner Hamilton telephoned the undersigned. Examiner Hamilton confirmed that there will be a pre-appeal brief conference and that she would issue a telephone summary confirming that there will be a pre-appeal brief conference.

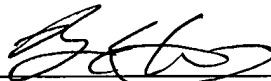
It is respectfully pointed out that the Interview Summary mailed 14 February 2006 includes accounts of the several telephone calls described above that are inconsistent with the undersigned's notes and recollections of these telephone conversations. For example, it is the position of the undersigned that, during the telephone conversation on 3 February 2006, Examiner Hamilton never suggested resubmitting the Request with corrections. Instead, during the 3 February 2006 telephone conversation, Examiner Hamilton only indicated that she was unaware of the Request and the Notice; that she was unable to provide any assistance in the matter; and that Ms. Williams should be contacted for assistance. In fact, Examiner Hamilton provided the undersigned with Ms. Williams' telephone number. The undersigned also disagrees with the indication in the Interview Summary that Examiner Hamilton "explain[ed] several times that the request was too long." Likewise, the undersigned disagrees with the indication in the Interview Summary that Examiner Kazimi ever stated that the Request needed to be resubmitted, and "reiterated...several times that the request was indeed too long." It should be noted that Examiner Hamilton, the sole signatory of the 14 February 2006 Interview Summary, was not a party to any of the telephone conversations with Ms. Williams, Examiner Kazimi, or Examiner Millin.

No fees are deemed to be necessary for the filing of this document; however, the undersigned hereby authorizes the Director to charge any fees that may be required, or credit any overpayments, to **Deposit Account No. 500777**. If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed. Any fee required for such Petition for Extension of Time should be charged to **Deposit Account No. 500777**.

Please link this application to Customer No. 53184 so that its status may be checked via the PAIR System.

Respectfully submitted,

2 MARCH 2006
Date


James E. Walton, Reg. No. 47,245
Brian E. Harris, Reg. No. 48,383
Daren C. Davis, Reg. No. 38,425
Michael Alford, Reg. No. 48,707
Steven J. Laureanti, Registration No. 50,274
Law Offices of James E. Walton, P.L.L.C.
1169 N. Burleson Blvd., Suite 107-328
Burleson, Texas 76028
(817) 447-9955 (Voice)
(817) 447-9954 (Facsimile)
jim@waltonpllc.com (E-Mail)

CUSTOMER NO. 53184

**ATTORNEYS AND AGENTS
FOR APPLICANTS**